

**REMARKS**

Presently pending in this case are claims 1-3, of which claims 1 and 3 are independent. Claim 1 recites an inlet port, a discharge duct having a discharge port, and fan. Claim 3 is similar to claim 1, but does not contain the “wherein” clause of claim 1. Applicants thank the Examiner for indicating that claim 2 is allowable if rewritten in independent form. Applicants respectfully submit that claims 1-3 are patentable for at least the reasons set forth below.

The Office Action rejects claim 1 under 35 U.S.C. § 103(a) as being unpatentable over Matsuno *et al.* (U.S. Patent No. 5,937,664) in view of “Engineering Design Choice.” Applicants respectfully traverse the rejection, because Matsuno, alone or in combination, fails to disclose the invention as set forth in applicants’ claims.

Applicants’ claims 1 and 3 recite, in part, a “discharge duct disposed below a floor surface of a trunk of the vehicle.” Placing the discharge duct below the surface of the floor of the trunk reduces the noise level in the vehicle’s passenger compartment and reduces obstructions in the vehicle’s trunk. In contrast to applicants’ claimed configuration, Matsuno *et al.* in FIG. 1 show a discharge duct that passes through the trunk of the vehicle.

Further, claims 1 and 3 recite, in part, a “fan provided in the discharge duct.” Locating the fan in the discharge duct helps to prevent operating noise from the fan from entering the passenger compartment of the vehicle. Matsuno *et al.* do not show a fan in the discharge duct, but instead, show a fan resident in a cooling duct. See FIG. 1 and column 9, line 34.

Moreover and as stated in the Office Action at Page 2, Matsuno *et al.* lack a discharge port with a fan disposed outwardly of an interior material on a side the trunk, as recited in Applicants’ claim 1. Again, placing the fan outwardly of an interior material on the trunk side improves the carrying performance of the trunk.


For at least these reasons, Matsuno *et al.*, alone or in combination, fail to teach, suggest, or disclose each and every element of applicants’ claimed invention. As such, applicants respectfully request reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. § 103(a).

In view of the above remarks, Applicants believe the pending application is in condition for allowance.

Applicants believe no fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. NGW-007 from which the undersigned is authorized to draw.

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Respectfully submitted,

By   
Leigh J. Martinson  
Registration No.: 50,749  
LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, Massachusetts 02109  
(617) 227-7400  
(617) 742-4214 (Fax)  
Attorney/Agent For Applicants